

1 that being Bailiff Sylvia Gay and Judge Holder's relief
2 bailiff who fills in when Sylvia Gay is unavailable,
3 her name is Tara or Tara Pisano, who were witnesses in
4 either their criminal investigation and as witnesses or
5 complainants to the JQC investigations that Judge
6 Holder was suspect gave rise to Judge Bonanno being in
7 his office in the first place that evening.

8 Q I'm not going to interrupt you. When
9 you're through we're going to go back over some things.

10 A No, no, go ahead. Now is a good time.

11 Q Okay. We have covered a lot.

12 A Yes, we have.

13 Q And maybe the best way to approach this
14 is to simply go back over some of the things that you
15 have recited as what you've learned during the course
16 of this investigation.

17 We already know that the purported
18 condition of the judge's chambers as given by Judge
19 Bonanno is completely contrary to the way Myra Gomez
20 said she left it?

21 A Yes, sir.

22 Q Did you check to see if possibly a
23 cleaning crew or any other logical person had, during
24 that interim, entered these chambers?

25 A Yes. Yes, I did.

1 Q Can you tell us what you found?

2 A I interviewed the supervisor of the
3 custodial staff here for this building. He's from a
4 contract company. He indicated to me that due to
5 budgetary concerns the employees are not allowed to
6 clock in -- they actually clock in on a time clock --
7 until 5:30 in the evening. This particular incident
8 occurred approximately at 5:20.

9 Q So they weren't even on the clock; they
10 weren't a player?

11 A That's correct.

12 Q And you're unaware of anyone else that
13 would legitimately have access or be in that office
14 during that interim other than the folks we've already
15 covered?

16 A Yes, sir, that's correct.

17 Q You said something else that was very
18 interesting, and that is that when Judge Bonanno left
19 Judge Ficarrotta's office -- and by the way, did he
20 speak with Judge Ficarrotta that day, or do we know?

21 A No, he did not. Judge Ficarrotta was not
22 present, and I believe he slipped the monthly
23 statistics under the door.

24 Q Okay. Do we know why he didn't enter his
25 office?

1 A The reason he did not enter his office is
2 because apparently there were some threats a while back
3 made against some of the judges, and Judge Ficarrotta
4 had his locks changed.

5 Q All right. But the purported reason that
6 Judge Bonanno, or one of them, was making these rounds,
7 was to hand out these statistics; is that correct?

8 A Yes, sir.

9 Q Any other reason that came to your
10 attention?

11 A No, that was -- that was his reason for
12 being there.

13 Q As he's leaving Judge Ficarrotta's
14 office, if that's the reason, statistics, was there any
15 reason to see Judge Holder that you're aware of? Was
16 Judge Holder in his division?

17 A No, he was not.

18 Q And had not been for approximately six
19 months; is that correct?

20 A That's correct. But apparently, as you
21 can imagine with all the JQC investigations going on
22 here in the courthouse, there's quite a bit of tension.
23 According to what Judge Bonanno has told us, is that 15
24 or 20 judges had come to him, and he's a senior judge,
25 he's an Administrative Judge, and basically he's the

1 head judge of the General Civil Division, to talk to
2 him about the tension in the courthouse specifically as
3 it pertained to the Judge Ward sexual harassment
4 investigation that was ongoing.

5 People were concerned about who was
6 saying what and the things that were appearing in the
7 newspaper, et cetera, and that Judge Holder's name was
8 always in the newspaper associated with these stories.
9 So one of the primary reasons for Judge Bonanno wanting
10 to speak with Judge Holder this evening was to discuss
11 some of these issues to relieve the tension and so
12 forth.

13 A second reason, which would sort of be
14 the intro to lead into this primary purpose in talking
15 to him, is there is a circuit judge in this circuit by
16 the name of Rex Barbas. His brother is currently, I
17 believe, in a -- has a divorce that's pending within
18 the -- within the Family Law Division that Judge Holder
19 serves in.

20 It's my understanding that all the judges
21 within that division have recused themselves, have
22 basically said that, "We can't -- we know Judge Barbas
23 and therefore we don't feel comfortable handling this
24 matter." And that particular case had then been
25 assigned to another division, which was the General

1 Civil Division.

2 And the case -- it's my understanding
3 that the case is assigned by the Clerk's office through
4 what they call a blind rotation, where basically they
5 enter some numbers into a computer and the computer
6 assigns who that judge is going to be that's going to
7 handle the case. Judge Bonanno was selected as the
8 judge to handle that case.

9 Q But previously it had been assigned to --

10 A To Judge Holder, yes.

11 Q And he had recused himself?

12 A He had handled a couple of -- he had
13 handled a motion on that matter. And apparently that
14 motion, there was a filed motion for a rehearing on
15 that particular motion.

16 Judge Holder had already recused himself.
17 And Judge Bonanno was going to ask Judge Holder if he
18 would be willing to hear this matter as it pertained to
19 a motion he had already ruled on for efficiency
20 purposes so that they didn't have to re-hear this
21 entire motion all over again.

22 Q Well, as a practical matter, does that
23 make any sense?

24 A To be honest, I'm not the person --

25 Q I know you're not a legal scholar, but if

1 a judge is recused, what does it mean?

2 A It means that hands off. He's not to
3 touch that case, he should not talk about that case,
4 should not be consulted about that case.

5 Q It is not his case anymore; leave me
6 alone?

7 A That's true.

8 Q All right. So maybe that reason wasn't
9 the best reason in the world. Let's go back to the
10 first reason, which was just to discuss morale and
11 problems. If he's the Administrative Judge for General
12 Civil, that means that's the division that he has
13 responsibility for and is to take care of; is that
14 right?

15 A That's correct.

16 Q Would that topic, if you have an opinion,
17 best be done by, for instance, Chief Judge Alvarez or
18 the Administrative Judge of the division that Holder
19 was currently in?

20 A Yes, I would say that as Chief Judge
21 Alvarez' position is to deal with that matter. In
22 fact, he attempted to deal with that matter prior to
23 Judge Holder going on military leave.

24 Judge Alvarez had a meeting with Judge
25 Holder. They discussed several issues. And Judge

1 Holder left the office feeling like they had cleared a
2 lot of air on a lot of the dissension and tension on
3 that.

4 Q And correct me on the timing if I'm
5 wrong, we also know that before Judge Bonanno went by
6 here, Judge Ficarrotta at some time prior to that had
7 already discussed with Judge Holder the appointment of
8 Bonanno as Chief Judge if certain things happened?

9 A That's correct.

10 Q All right.

11 A Right.

12 Q And the answer was?

13 A "When pigs fly."

14 Q "When pigs fly."

15 A I think what's important to point out is
16 this particular door here opens --

17 Q That's what we're going to --

18 A -- opens inward. It's the same style
19 door as we have here where we have this arm that pulls
20 the door shut at the top. When I got involved in the
21 investigation on August 2nd, I had my crime scene unit
22 come in and had process the office for latent prints,
23 fingerprints, photograph it, and videotape it.

24 We checked this door. And Judge Bonanno
25 says the door was ajar. Now, when you say ajar, that

1 means it's open. The door, we could not keep the door
2 ajar because that arm would pull it shut.

3 Even when we put the latch of the door up
4 against the strike plate and just very gently just
5 placed it against that, the arm would pull the door
6 shut and it would lock in place.

7 Q So again, you --

8 GRAND JUROR: It locked in place?

9 THE WITNESS: Well, I mean --

10 GRAND JUROR: Or it closed?

11 THE WITNESS: -- the door closed.

12 GRAND JUROR: It closed. Oh, okay.

13 THE WITNESS: Yes, sir.

14 BY MR. HILL (resuming):

15 Q You attempted to verify what he was
16 saying, that it was left ajar, --

17 A That's correct.

18 Q -- and could not reproduce that scenario?

19 A I could not reproduce that, no, sir.

20 Q To your knowledge did Judge Bonanno give
21 any other reasons for going by that office?

22 A I don't recall that he did. I believe
23 that was --

24 Q I want you to help us out here on
25 something if you can. Was it Judge Bonanno's testimony

1 that he was getting ready to leave the office when he
2 stopped to look at a photograph on this wall?

3 A I don't know necessarily that he said he
4 was getting ready to leave the office, but he was
5 looking at a photograph on that wall when he heard
6 movement --

7 Q Okay.

8 A -- in the reception area.

9 Q All right. At my request just a few
10 nights ago you, along with the bailiff in question,
11 filmed and attempted to recreate what she said she saw;
12 is that correct?

13 A That's correct.

14 Q Do you recall if, when you entered as she
15 did and looked through this doorway, you could see some
16 space in here; do you recall?

17 A I would need to re-look at the videotape.

18 Q Okay. All right.

19 A I'm sorry.

20 Q All right. Obviously my point was if he
21 was over here and came this way --

22 A I -- I -- I know -- I know by standing at
23 this door you cannot see the photograph on the wall.

24 Q Right.

25 A I know that, yes.

1 Q In any event, it was the bailiff's
2 testimony that the image, the shadow, the reflection
3 that she saw initially was going away from her and not
4 coming towards her?

5 A That's correct, yes, sir. Yes.

6 Q As she characterized, in an effort to
7 escape or hide?

8 A That was the term she used, yes, sir.

9 Q All right. They will see that tape later
10 on. It's interesting that Officer Sheehan -- and I
11 don't know if he's a sergeant; is he a Sergeant
12 Sheehan?

13 A He's a corporal.

14 Q Was asked to do that initial
15 investigation. Was that in normal course of events?
16 You know, if I wanted a criminal investigation done or
17 a down and dirty, can I just call the officer I want,
18 or am I supposed to go to the Sheriff's Office and
19 request that it be accomplished?

20 A I'm not really sure. Not working for the
21 Sheriff's Office, I'm not really sure how that is
22 handled here at the courthouse. I believe when I spoke
23 to Judge Alvarez, he indicated that there was no
24 written policy on how this was handled.

25 Q All right. Did you mention, as one of

1 the JQC investigations, the Ficarrota matter along
2 with the Bailiff Sylvia or --

3 A Yes, I did.

4 Q -- Pisano, Tara Pisano?

5 A Right.

6 Q Is it safe to say that Judge Ficarrota
7 and Judge Bonanno are, in fact, good friends?

8 A Yes.

9 Q Okay. What I want to do now is to just
10 theoretically explore some possible motives or reasons
11 that Judge Bonanno might have been in that office.

12 First of all, let's talk about, and I
13 think we have to explore this a little bit, the
14 relationship between Tara Pisano and Judge Ficarrota.
15 She was his bailiff for some year and a half or so, or
16 they had a relationship for a year and a half?

17 A Right, they had an extramarital affair
18 for approximately a year and a half prior to this.

19 Q At some point that relationship soured
20 and went south, and I assume she was no longer his
21 bailiff?

22 A I have not interviewed -- Tara Pisano is
23 currently represented by a local attorney, Barry Cohen,
24 and I have not had the opportunity at this point to
25 interview Ms. Pisano.

1 Q And you have not interviewed Judge
2 Ficarrotta either; is that right?

3 A That is correct, I have not. The
4 Sheriff's Office did regarding the delivery of the
5 stats, but that was it.

6 Q Has it come to your attention that
7 somewhere in the course of, well, following that the
8 break-up of both their marriages; is that right?

9 A That's my understanding, yes, sir.

10 Q Okay. That she prepared some kind of a
11 memo, a diary, a document?

12 A Yes. Tara Pisano, of course, she's the
13 bailiff who works for the Sheriff's Office, her husband
14 is employed as a deputy sheriff, a corporal with the
15 Sheriff's Office. When the relationship with Judge
16 Ficarrotta went -- when they separated, Ms. Pisano was
17 aware that Judge Ficarrotta and Sheriff Cal Henderson
18 were very close friends. She was extremely concerned
19 about her job, as well as the job of her husband, and
20 she retained -- she retained Barry Cohen as her
21 attorney for, I assume, employment purposes.

22 Reportedly at the direction of her
23 attorney, Barry Cohen, she prepared a summation of
24 events or as some people refer to it as a journal,
25 which is 30 some odd pages in length typed, single

1 spaced.

2 Q By the way, and I need to clear it up, I
3 asked it improperly, Pisano was not Ficarrotta's
4 bailiff on a full-time basis but only filled in or
5 worked for him on occasion; is that correct?

6 A I do not know --

7 Q Okay.

8 A -- her position with Judge Ficarrotta.

9 Q All right.

10 A But she was Judge Holder's relief
11 bailiff. She's very close friends with Judge Holder's
12 bailiff, Sylvia Gay.

13 Q All right. When you say very close
14 friends, characterize that for us in terms of time
15 spent together; where they would spend it?

16 A They socialized together. They, if my
17 memory serves me correct, they recently went on a
18 cruise together, et cetera.

19 Q At work was there a particular place that
20 you've determined they might have met and spent time?

21 A They spent quite a bit of time in the
22 break room here in Judge Holder's office.

23 Q Have you learned from any source that in
24 all probability Tara Pisano worked on that diary in
25 that room?

1 A Yes, I have, through Judge Holder.

2 Q Can you tell us based on some of your
3 interviews if you determined that that diary or that
4 document in all probability contains information that
5 might, if it's true, be criminal in nature?

6 A Yes, sir.

7 Q Can you share with the Grand Jury, you
8 don't have to go into tremendous detail, but just touch
9 on those items that might be involved in that?

10 A Would you like me just to go down the
11 bullet statements --

12 Q Yes, sir.

13 A -- that we took yesterday?

14 Q Yes, sir.

15 A Yesterday I conducted or met with Judge
16 Holder, and Judge Holder provided this information to
17 myself along with Mr. Hill.

18 Judge Holder stated that the Bailiff
19 Pisano had advised him that she and Judge Ficarrota
20 had performed sex acts in Judge Ficarrota's private
21 office while trials were being held by Judge Holder in
22 the next room.

23 Bailiff Pisano also advised Judge Holder
24 that she and Judge Ficarrota traveled to Victoria's
25 Secret and purchased underwear for her. Pisano advised

1 Judge Holder that Judge Ficarrotta has worn Pisano's
2 T-back underwear in his private office.

3 Pisano advised Judge Holder that she has
4 observed large amounts of money in Judge Ficarrotta's
5 office and believes he uses the money for personal
6 purposes or for personal use. Pisano is aware of a
7 safety deposit box filled with money in Judge
8 Ficarrotta's office.

9 Pisano advised Judge Holder that she is
10 aware of a shed or a storage unit that Judge Ficarrotta
11 and Hillsborough County Deputy Mike Sheehan both have
12 access to. This is the same Mike Sheehan that
13 conducted the internal investigation for Judge Alvarez.

14 Pisano advised Judge Holder that she is
15 aware of a bank account that Judge Ficarrotta and
16 Deputy Mike Sheehan both have signature authority on.
17 Pisano advised Holder that she has received threats
18 against her 12-year-old son.

19 Pisano advised Judge Holder about a
20 meeting between Attorney Barry Cohen, Judge Ficarrotta,
21 Circuit Chief Judge Alvarez, and his and Ficarrotta's
22 attorney, Gary Trombley. Pisano advised Judge Holder
23 that she and Bailiff Sylvia Gay had been present in
24 Judge -- when Judge Ficarrotta solicited money via
25 telephone from his office for Sheriff Cal Henderson's